

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DIMAS APODACA,

Plaintiff

v.

CIV 09-0947 MV/CG

SHERIFF DARREN WHITE, et al.,

Defendants.

ORDER TO SHOW CAUSE

This matter is before the Court *sua sponte*. On June 1, 2010, I conditionally granted Plaintiff *in forma pauperis* status, but also entered my third order asking him to cure deficiencies. I ordered Plaintiff to submit an amended *in forma pauperis* application and an amended complaint within twenty days. See *Doc. 9* at 6. My order was not returned as undeliverable. To-date, Plaintiff has not submitted the required documents.

In the event Plaintiff has moved, he has not advised the Court of his new address as required by D.N.M.LR-Civ 83.6 ("All . . . parties appearing *pro se* have a continuing duty to notify the Clerk, in writing, of any change in . . . mailing addresses"). In addition, the Court has the inherent power to impose a variety of sanctions on litigants in order to, among other things, regulate its docket and promote judicial efficiency. *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984). One such sanction within

the discretion of the Court is to dismiss an action for want of prosecution. *E.g.*, *Nat'l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 642-43 (1976); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *see also Costello v. United States*, 365 U.S. 265, 286-87 (1961) (district court may dismiss *sua sponte* for failure to comply with order of court); *United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 855 (10th Cir. 2005) ("dismissal is an appropriate disposition against a party who disregards court orders and fails to proceed as required by court rules.").

Based on Plaintiff's failure to comply with local rules, my prior order, and the lack of activity in this case, he will be required to show cause why this case should not be dismissed.

Wherefore,

IT IS HEREBY ORDERED THAT no later than Friday, July 30, 2010, Plaintiff shall file a written document with the Court showing his current address and showing cause why this case should not be dismissed. Plaintiff is also hereby notified that failure to respond to this Order may result in dismissal without further notice.

A handwritten signature in black ink, appearing to read "Cannon", with a long horizontal line extending to the right.

UNITED STATES MAGISTRATE JUDGE